

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DAVID MCKEE and JUDITH MCKEE</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>PAUL DEJULIIS, CHARLES WILSON,</b>	:	<b>08-00740</b>
<b>RANDALL GILLESPIE, and EXPANKO</b>	:	
<b>CORK COMPANY, INC.</b>	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 30th day of January, 2009, upon consideration of Plaintiff's Motion to Enforce Settlement (Document No. 20, filed January 8, 2009), and the related submissions of the parties, it appearing to the Court that, with the exception of the question whether plaintiffs are entitled to counsel fees related to the filing of the Motion, the Motion has been mooted by the signing of the Settlement Agreement by Charles Wilson, **IT IS ORDERED** as follows:

1. To the extent plaintiffs' Motion to Enforce Settlement seeks counsel fees from defendants, or any of them, the Motion to Enforce Settlement is **DENIED WITHOUT PREJUDICE** to plaintiffs' right to file a separate Motion for Counsel Fees on or before February 3, 2009. The response to any such Motion for Counsel Fees shall be filed within two (2) weeks of service of a copy of the Motion;
2. One (1) copy of each of the aforesaid documents shall be served on the Court (Chambers, Room 12613) when the original is filed; and,
3. In all other respects, plaintiffs' Motion to Enforce Settlement is **DENIED AS MOOT**.

**BY THE COURT:**

/s/ Honorable Jan E. DuBois  
**JAN E. DUBOIS, J.**